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**Roberta Lawson**  
RDH, MPH  
*Executive Administrator*

May 16, 2012

Ron Chapman, MD, MPH  
CA Department of Public Health  
1615 Capitol Avenue, Suite 73.770  
PO Box 997377, MS 0500  
Sacramento, CA 95899-7377

Re: **CCLHO OPPOSE UNLESS AMENDED** position on SB 1481 (Negrete McLeod) Clinical laboratories: community pharmacies

Dear Dr. Chapman:

The California Conference of Local Health Officers (CCLHO) Board voted on May 2, 2012 at the CCLHO Semiannual Business meeting to take an oppose unless amended position on SB 1481. Our recommendation is that the California Department of Public Health take the CCLHO position into consideration in your analysis of the legislation.

Existing Pharmacy Law provides for the licensure and regulation of pharmacists by the California State Board of Pharmacy and authorizes a pharmacist to perform skin puncture in the course of performing clinical laboratory tests classified as waived pursuant to the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA).

SB 1481 would exempt a community pharmacy that solely provides certain tests classified as waived under CLIA from the clinical laboratory regulations, provided that the tests are performed by a pharmacist, as specified, and the pharmacy obtains a certificate of waiver and complies with all other requirements under CLIA. The authors of this bill maintain the intent is to allow pharmacists to assist customers in performance of over-the-counter home test kits only. The currently proposed legislative language does not, however, explicitly state that only over-the-counter tests are allowed.

The CCLHO Board voted to take an **OPPOSE UNLESS AMENDED** position on SB1481 unless the bill is amended to explicitly clarify that only over-the-counter tests would be allowed.

As you are aware, CCLHO was established in statute in 1947 to advise the California Department of Health Services (now the California Department of Public Health), other departments, boards, and commissions, as well as officials of federal, state and local agencies, the Legislature and other organizations on all matters affecting health. CCLHO membership consists of all legally appointed physician health officers in California's 61 city and county jurisdictions.

Thank you for your consideration. If you have questions, please feel free to contact me at [wilma.wooten@sdcounty.ca.gov](mailto:wilma.wooten@sdcounty.ca.gov) or 619-542-4181.

Sincerely,

*Original Signed by:*

Wilma Wooten, MD, MPH  
President, California Conference of Local Health Officers

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